

# H E R R I C K

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**VIA ECF**

Honorable Roanne L. Mann  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Kosher Sports Inc. v. Queens Ballpark Company, LLC (No. 10-cv-2618)

Dear Judge Mann:

As counsel for defendant Queens Ballpark Company, LLC ("QBC") in the above-referenced matter, we write jointly on behalf of QBC and plaintiff Kosher Sports, Inc. ("KSI") to update the Court on the status of the parties' efforts to resolve the matters that have been referred to this Court pursuant to Judge Weinstein's Memorandum and Order, dated February 21, 2012. (Dckt. # 139.) The parties are continuing to confer in good faith regarding the amount of damages, costs and disbursements which QBC is entitled to pursuant to the parties' January 23, 2008 letter agreement and under the applicable federal and local rules. By the end of the week, we expect to either submit a proposed stipulation as to the total amount now due to QBC from KSI or, in the event that the parties are unable to reach an agreement, a joint proposed schedule for further proceedings.

We are available to discuss this and any other matters, should the Court so desire.

Respectfully submitted,

/s/ Avery S. Mehlman

cc: Ted Normand, Esq.  
Jason Cyrulnik, Esq.